

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Wayne H. Kaesemeyer

TITLE

METHOD AND FORMULATION FOR
TREATING VASCULAR DISEASE

SERIAL NO.

09/419,517

FILED

October 18, 1999

ART UNIT

1617

EXAMINER

Jennifer M. Kim

ATTORNEY DOCKET NO.

97-092-US-C2 (old)
25795-4-2 (new)

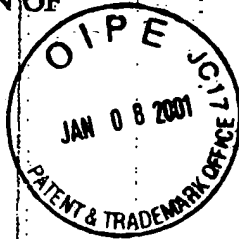
POWER OF ATTORNEY AND REVOCATION
OF PRIOR POWERS

Assistant Commissioner for Patents
Washington, D.C. 20231

As assignee of record of the entire interest of the parent application, U.S. Ser. No. 08/833,842, as recorded in the United States Patent and Trademark Office on September 25, 1998, at Reel 9473, Frame 0634, assignee hereby revokes all previous powers of attorney and appoints:

Raymond A. Miller, Reg. No. 42,891
Robert H. Earp, III, Reg. No. 41,004
Gregory S. Kolocouris, Reg. No. P-47714

to prosecute and transmit all business in the United States Patent and Trademark Office connected therewith.



Handwritten signature and date:
#2098
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Please send all correspondence to the following:

Raymond A. Miller, Esq.
Benesch, Friedlander, Coplan & Aronoff LLP
2300 BP Tower
200 Public Square
Cleveland, OH 44114-2378
(216) 363-4417

Attached to this Power of Attorney is a "Statement Under 37 C.F.R. §3.73(b)."

Respectfully submitted,



Michael W. Skeen

**CERTIFICATE UNDER 37 CFR 3.73(b)**

Applicant: Wayne H. Kaesemeyer
Serial No.: 09/419,517 **Filed:** October 18, 1999
Title: Method and Formulation for Treating Vascular Disease
Art Unit: 1617
Name of Assignee: Nitrosystems Inc.

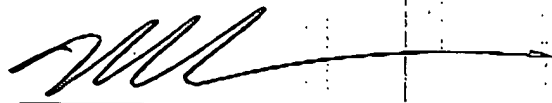
certifies that it is the assignee of the entire right, title and interest in the patent identified above by virtue of an assignment from the inventor of the patent application identified above. The document was recorded in the Patent and Trademark Office for which a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/5/2001


Michael W. Skeen
CEO



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JANUARY 22, 1999

REED SMITH SHAW & MCCLAY LLP
RAYMOND A. MILLER
P.O. BOX 488
PITTSBURGH, PA 15230



100841392A

**UNITED STATES PATENT AND TRADEMARK OFFICE
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/25/1998

REEL/FRAME: 9473/0634
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
KAESEMEYER, WAYNE E.

DOC DATE: 09/03/1998

ASSIGNEE:
NITROSYSTEMS, INC.
512 TELFAIR STREET
AUGUSTA, GEORGIA 30901

SERIAL NUMBER: 08833842
PATENT NUMBER:

FILING DATE: 04/10/1997
ISSUE DATE:

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

09-29-1998

FORM PTO-1595 (Substitute)

REC

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Honorable Commissioner of Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Wayne E. KAESEMEYER

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: September 3, 1998

2. Name and address of receiving party(ies):

Name: Nitrosystems, Inc.Address: 512 Telfair StreetCity: Augusta State: GA Zip: 30901Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s)

If this document is being filed together with a new application, the execution date of the application is: Ddate

A. Patent Application No(s).

08/833,842

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Raymond A. MillerREED SMITH SHAW & McCLAY LLPAddress: P.O. Box 488City: Pittsburgh State: PA Zip: 152306. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): \$ 40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account
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8. Deposit account number:

18-0582

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true and copy of the original document.

Raymond A. Miller
 Name of Person Signing

Signature

September 21, 1998
 Date
Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents & Trademarks, Box Assignments
 Washington, D.C. 20231

09/28/1998 TTON11 00000262 08833842

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ASSIGNMENT

WHEREAS, I, Wayne H. Kaesemeyer, a citizen of the United States of America, whose post office address is 2433 McDowell Street, Augusta, Georgia 30904, have invented and own a certain invention entitled

METHOD AND APPARATUS FOR TREATING VASCULAR DISEASE

for which an application for Letters Patent of the United States was filed on April 10, 1997 and assigned Serial Number 08/833,842; and

WHEREAS, Nitrosystems, Inc., a corporation organized and existing under the laws of the State of Georgia and having a place of business at 512 Telfair Street, Augusta, Georgia 30901 (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by any application or any continuation, divisional, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

ASSIGNOR HEREBY COVENANTS that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale; and

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal this 3rd day of September, 1998

Wayne H. Kaesemeyer
Wayne H. Kaesemeyer

STATE OF)

) ss.

COUNTY OF)

BE IT KNOWN, that on this 3rd day of September, 1998, before me personally came Wayne H. Kaesemeyer, to me known to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Ashley Dee Nix
Notary Public

NOTARY PUBLIC, COLUMBIA COUNTY
MY COMMISSION EXPIRES 06/01/02